

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/749,457
Applicant : Paul M. Tsou, M.D.
Filed : December 31, 2003
TC/A.U. : 3732
Examiner : Candice Capri Stokes
Docket No. : 455770
Customer No. : 15022

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450
Filed via: EFS-Web

ELECTION REQUIREMENT

Sir:

In response to the Office Action of May 3, 2006, Applicant hereby traverses the Examiners restriction under 35 U.S.C. 121 for an election of species, based upon the belief that the inventions I, II, III, IV, V and VI are in fact related and are capable of being used together. Applicant hereby reserves the right to petition.

In order to expedite the prosecution of this application, Applicant hereby elects Invention I, Claim 1.

In the event that there are any outstanding issues, the undersigned respectfully requests the courtesy of a telephonic interview.

In re Application of: Paul M. Tsou, M.D.

Serial No.: 10/749,457

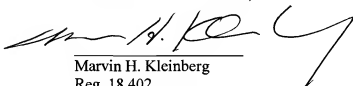
Filed: December 31, 2003

For: MINIMAL ACCESS APPARATUS FOR ENDOSCOPIC SPINAL SURGERY

Group Art Unit: 3732

Respectfully submitted,

KLEINBERG & LERNER, LLP

A handwritten signature in black ink, appearing to read 'M. H. Kleinberg', is written over a horizontal line.

Marvin H. Kleinberg

Reg. 18,402

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